

**EXHIBIT 10**

**Narinder Singh Deposition Excerpts**

- Pages 21, 23-25, 27, 31-32, 47-48 from the deposition testimony of Narinder Singh, taken March 16, 2011.

<p style="text-align: right;">Page 21</p> <p>1 A. El Monte Gas.</p> <p>2 Q. Has that name changed over the years?</p> <p>3 A. It was ARCO gas station, it was under El Monte</p> <p>4 Gas. And then in '99 after we put in new tanks and all</p> <p>5 that, we opened back up -- it was closed down for two</p> <p>6 years, then we opened back up in 2000 as Exxon.</p> <p>7 Q. Is it an Exxon station at the current time?</p> <p>8 A. Right now? No.</p> <p>9 Q. What did it change to after Exxon?</p> <p>10 A. Valero.</p> <p>11 Q. Approximately when did that change?</p> <p>12 A. In August -- August last year.</p> <p>13 Q. Is it currently a Valero station?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Are you the owner of that station?</p> <p>16 A. Yes, sir.</p> <p>17 Q. Okay. Beside that station in Selma and the one</p> <p>18 at 4594 East Tulare, have you been affiliated with any</p> <p>19 other stations?</p> <p>20 A. No, sir.</p> <p>21 Q. Can you describe for us any school or education</p> <p>22 you have had after high school?</p> <p>23 A. Well, I was in India, you know, I went to</p> <p>24 school in India. And I didn't finish any college. I</p> <p>25 went to college, but I never finished.</p>	<p style="text-align: right;">Page 23</p> <p>1 A. Convenience store.</p> <p>2 Q. When you say the gas was owned by El Monte, are</p> <p>3 you referring to the underground storage tanks?</p> <p>4 A. Yeah, the gasoline, you know, gasoline part was</p> <p>5 on commission and they owned that part.</p> <p>6 Q. Okay. So just to clarify, when you say the</p> <p>7 gasoline part, that would be underground storage</p> <p>8 tanks --</p> <p>9 A. Yes, sir.</p> <p>10 Q. -- piping --</p> <p>11 A. Yes, sir.</p> <p>12 Q. Just a second. Just a second. You are</p> <p>13 anticipating where I am going. Just so we are --</p> <p>14 A. Yes, sir. Yes, sir. Yes, sir.</p> <p>15 Q. -- not talking at the same time.</p> <p>16 A. Yes.</p> <p>17 Q. So when you say the gasoline part, that would</p> <p>18 be the underground storage tanks, the piping, and the</p> <p>19 gas dispensers?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Did you ever learn when Mr. Doyle bought the</p> <p>22 station from Beacon?</p> <p>23 A. In 1994. Same time I leased.</p> <p>24 Q. Do you know who owned the land or the property</p> <p>25 in 1994?</p>
<p style="text-align: right;">Page 22</p> <p>1 Q. Did you have any particular course of study in</p> <p>2 college?</p> <p>3 A. No.</p> <p>4 Q. How about after you came to the United States,</p> <p>5 did you have any college?</p> <p>6 A. No, sir.</p> <p>7 Q. So if we talk about "the station" for</p> <p>8 shorthand, can we agree --</p> <p>9 A. Yes.</p> <p>10 Q. -- that we are talking about 4594 East Tulare</p> <p>11 here in Fresno?</p> <p>12 A. Yes.</p> <p>13 Q. If I ever ask something about the Selma one,</p> <p>14 I'll -- I will try -- I will specify that so we are</p> <p>15 clear, but otherwise I will be asking you about the</p> <p>16 Fresno station.</p> <p>17 A. Yes, sir.</p> <p>18 Q. Can you tell us what year you first became</p> <p>19 affiliated with the Fresno station?</p> <p>20 A. 1994. We leased that station and we own</p> <p>21 inside, and the gas was owned by El Monte Gas. El Monte</p> <p>22 Gas, Mr. Don Doyle bought that station from, I believe,</p> <p>23 Beacon Oil Company.</p> <p>24 Q. When you say, "We owned the inside," are you --</p> <p>25 are you meaning that you owned the building?</p>	<p style="text-align: right;">Page 24</p> <p>1 A. Don Doyle bought the land and the property at</p> <p>2 that time.</p> <p>3 Q. Before he bought the station in 1994, do you</p> <p>4 know what the station was branded?</p> <p>5 A. ARCO.</p> <p>6 Q. And at the time you started leasing the</p> <p>7 station, what was it branded?</p> <p>8 A. ARCO.</p> <p>9 Q. When you say, "We leased the station," was that</p> <p>10 you and your wife initially?</p> <p>11 A. Me and my wife, and I have partners, Kirpal</p> <p>12 Singh Sandhu. I am actually a silent partner. He run</p> <p>13 that station.</p> <p>14 Q. I am sorry. You said he was the silent</p> <p>15 partner?</p> <p>16 A. I am the silent partner.</p> <p>17 Q. Oh, you are the silent partner?</p> <p>18 A. Yeah.</p> <p>19 Q. So from the station initially being branded</p> <p>20 ARCO, did it later have another brand?</p> <p>21 A. Yes.</p> <p>22 Q. What was after ARCO?</p> <p>23 A. After ARCO we went independent.</p> <p>24 Q. What year did that occur?</p> <p>25 A. That was in '99. We bought the property in '99</p>

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<p style="text-align: right;">Page 25</p> <p>1 from Mr. Doyle and replaced the tank and the piping.  2 Q. What was the station called starting in 1999?  3 A. Circle 6.  4 Q. Did it have another name after Circle 6?  5 A. It was Tulare Street ARCO before that when  6 Doyle had it, and we called Tulare Street ARCO.  7 Q. Is it on Tulare Avenue or Tulare Street?  8 A. Tulare Street.  9 Q. Okay. I am sorry. I think I said Tulare  10 Avenue earlier. Let me make a note of that. So it is  11 4594 East Tulare Street in Fresno?  12 A. Yes, sir.  13 Q. So when it was an ARCO it was called the Tulare  14 Street ARCO, starting in 1994?  15 A. Yes, sir.  16 Q. And then about 1999 it became Circle 6?  17 A. Yes, sir.  18 Q. And did it have a name after Circle 6?  19 A. We kept it Circle 6 where we did brand Exxon.  20 My best knowledge. I don't know exact year and the  21 date, but I believe in 2003 or 2002 we brand Exxon.  22 Q. When you say you brand Exxon, you started  23 selling Exxon branded gasoline?  24 A. Yes, sir.  25 Q. We might see some documents that say Exxon that</p>	<p style="text-align: right;">Page 27</p> <p>1 A. When it was Circle 6?  2 Q. Yes.  3 A. Oh, well, when it was ARCO.  4 Q. Well, starting with Circle 6. We can go back  5 to ARCO. Sorry.  6 A. Okay. Okay.  7 Q. We will go in time order. That's probably  8 easier.  9 A. Okay.  10 Q. Okay. When you started operating the station  11 in about 1994, what jobbers were delivering gasoline  12 then?  13 A. El Monte Gas.  14 Q. Was that the only one?  15 A. That was the only one. And they owned the gas  16 as well.  17 Q. And when you started with the Circle 6 name in  18 1999, who were any jobbers delivering gasoline then?  19 A. Yes, sir. We have a couple different jobbers,  20 which is -- one was, of course, El Monte Gas, Julien Oil  21 Company, and we had Boyett Petroleum. That's my best  22 knowledge at this moment.  23 Q. When El Monte Gas was delivering to the Circle  24 6, were they providing a particular brand?  25 A. No, we -- you know, no. It was independent.</p>
<p style="text-align: right;">Page 26</p> <p>1 might help refresh your recollection.  2 Let me -- let me go back to the brand names. I  3 was going to go through that next. When you first  4 bought the station in 1994, what brand of gasoline was  5 being delivered to you then?  6 A. It was ARCO. And we did not bought it, it was  7 leasing and just convenience store back in 1994.  8 Q. I am sorry. Okay. Correct. I am sorry. I  9 should say when you started operating the station in  10 1994.  11 A. Yes, sir.  12 Q. So it was, I am sorry, ARCO gasoline being  13 delivered to you then?  14 A. At that time, yes, sir.  15 Q. Was it ARCO gasoline up until the time you  16 switched to a Circle 6 name?  17 A. Yes, sir.  18 Q. When you switched to Circle 6 in about 1999,  19 what brand of gasoline was being delivered to you then?  20 A. Independent.  21 Q. Was there any predominant brand?  22 A. No.  23 Q. During the time you were Circle 6, before you  24 mentioned going to the Exxon brand, what jobbers were  25 delivering gas to the station?</p>	<p style="text-align: right;">Page 28</p> <p>1 They pull wherever they pull from. And they always have  2 bill of lading and say where they pull from, but we  3 don't pay attention to it so I can't say, you know.  4 Q. Do you still have any bills of lading from the  5 time it was Circle 6 with unbranded gas?  6 A. Yes.  7 Q. You still have bills of lading in your  8 possession?  9 A. Well, you know, we have to go back so I can  10 find it, yes.  11 Q. Well, I think -- because that was the kind of  12 thing that we were looking for with the subpoena. So  13 can we talk to you after --  14 A. Yes.  15 Q. -- the deposition about trying to get copies of  16 that?  17 A. Yes.  18 Q. For Julien Oil, do you recall where they were  19 located, what city?  20 A. In Visalia.  21 Q. And then when you mentioned it was Circle 6 and  22 you switched to Exxon brand about 2002 or 2003, is it  23 correct that you started having deliveries of Exxon  24 brand gasoline at that point?  25 A. Yes.</p>

7 (Pages 25 to 28)

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<p style="text-align: right;">Page 29</p> <p>1 MS. KLEAVER: Objection; calls for speculation, 2 lacks foundation. 3 MR. EICKMEYER: Q. Now -- when she's done 4 talking now, you can answer. 5 A. Oh, okay. 6 Q. So, I am sorry, what was your answer? 7 A. Yes. What your question was again? 8 MR. EICKMEYER: Well, if we can get a 9 read-back. 10 (Record read) 11 THE WITNESS: Yes. 12 MR. EICKMEYER: Q. After the Circle 6 name on 13 the station, has it had another name? 14 A. No. 15 Q. So it's still Circle 6 at the present day? 16 A. Yes. 17 Q. Is it still Exxon brand gas being sold there to 18 the present day? 19 A. No, sir. 20 Q. When did that change? 21 A. That change in 2006. 22 Q. And what brand did that change to? 23 A. Valero. 24 Q. Is it still Valero gas being sold there to the 25 present day?</p>	<p style="text-align: right;">Page 31</p> <p>1 just to make it faster. But if you ever want to stop 2 and read anything, we will be happy to take the time to 3 do that. 4 Where it says Business Owner about halfway 5 down, it looks like it says Narinder Singh, and is it 6 pronounced Kanta Singh? 7 A. Yes, that's my wife. 8 Q. And that's for the record, K-a-n-t-a? 9 A. Mm-hmm. 10 Q. I'm sorry. Can you say yes? 11 A. Yes, sir. 12 Q. You said -- I think you said "mm-hmm," so I am 13 just trying to clarify. 14 A. I'm sorry. 15 Q. So it is indicated here, do you recognize where 16 it says Owner, it looks like Kanta Singh is the 17 signature. Do you recognize that as your wife's 18 signature? 19 A. Yes, sir. 20 Q. Across from her signature, it looks like the 21 date is 5/25/95. 22 A. Yes, sir. 23 Q. Do you recognize -- I think you described it 24 was about 1994 when you had first leased the station? 25 A. Yes, sir.</p>
<p style="text-align: right;">Page 30</p> <p>1 A. Yes, sir. 2 Q. When the switch was made that you described to 3 Exxon brand in about 2002 or '3, who were the jobbers 4 delivering that Exxon gas? 5 A. It was Julien Oil Company. 6 Q. Was that the only one? 7 A. That was the only one. Yes, sir. 8 Q. After the change was made to Valero in about 9 2006, what jobbers were delivering gas to the station? 10 A. Still Julien Oil Company. 11 Q. Is that true to the present day? 12 A. Yes, sir. 13 Q. And it has only been Julien Oil during the 14 Valero years? 15 A. Yes, sir. 16 (Deposition Exhibit 2 marked for 17 identification) 18 MR. EICKMEYER: I will hand you what I have 19 marked as Exhibit 2. This is Fresno County Health 20 Services Agency, Bates FCDEH-FRESNO-020619. 21 Q. Do you recognize this page as having seen it 22 before? 23 A. This page, yeah. 24 Q. On the -- I will point -- on many of the 25 documents I will try and point you to a particular place</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. It looks like it says Date of Business 2 Commencement here, 6/1/95. 3 A. Maybe it is '95. Maybe I am -- you know, make 4 mistake on that. 5 Q. Well, that's why I say, some of the 6 documents -- 7 A. Yes. 8 Q. -- might help -- 9 A. Yes, sir. 10 Q. -- refresh your memory. 11 A. Yes. 12 Q. At the time that you took over the station, was 13 there any change made of the underground storage tanks 14 at that point? 15 A. No, sir. 16 Q. Did you ever have any information when the 17 tanks that were there when you took over had originally 18 been installed? 19 A. No, sir. 20 (Deposition Exhibit 3 marked for 21 identification) 22 MR. EICKMEYER: I will show you what I have 23 marked as Exhibit 3. This is a Fresno County Health 24 Services Agency Environmental Health Application, Bates 25 FCDEH-FRESNO-020618.</p>

8 (Pages 29 to 32)

<p style="text-align: right;">Page 45</p> <p>1 Q. Okay. So what you're saying -- so on -- on the</p> <p>2 form they don't give you a box for mid-grade, so two of</p> <p>3 these are marked premium but you are saying one was</p> <p>4 premium and one was mid-grade?</p> <p>5 A. Yes, sir. Yes, sir.</p> <p>6 Q. And then the -- the other two were just</p> <p>7 regular --</p> <p>8 A. Yes, sir.</p> <p>9 Q. -- unleaded?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Is it correct, then, that all four of the tanks</p> <p>12 at that point --</p> <p>13 A. Yes, sir.</p> <p>14 Q. Well, just a second -- that all four of the</p> <p>15 tanks at that point didn't have any spill containment or</p> <p>16 overfill prevention equipment?</p> <p>17 A. Well, whatever is filled in this form is true</p> <p>18 and correct.</p> <p>19 Q. And the tanks indicated here in 1996 would have</p> <p>20 been the same ones present when you started leasing the</p> <p>21 station about 1994?</p> <p>22 A. Yes, sir.</p> <p>23 Q. And these four tanks would have been the same</p> <p>24 ones that remained until the tank replacement --</p> <p>25 MS. OSEROFF: It's a belated objection;</p>	<p style="text-align: right;">Page 47</p> <p>1 MR. EICKMEYER: I will hand you what I have</p> <p>2 marked as Exhibit 7. This is entitled Fresno County</p> <p>3 Health Services Agency, date June 22nd, 1998, Bates</p> <p>4 RWQCB-FRESNO-017073.</p> <p>5 Q. Mr. Singh, do you recognize this document?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Is it correct that this is a cover letter</p> <p>8 followed by the permit to operate the underground</p> <p>9 storage tanks, expiring December 22nd, 1998?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Did you see there is a list of numbered items</p> <p>12 starting toward the bottom of the first page that</p> <p>13 indicates that there are upgrade requirements no later</p> <p>14 than December 22nd, 1998?</p> <p>15 A. Yes, sir.</p> <p>16 Q. And it has Items 1, 2, and then 3 on the next</p> <p>17 page?</p> <p>18 A. Yes.</p> <p>19 Q. Do you recall if you took any action in</p> <p>20 response to this letter indicating that the requirements</p> <p>21 were coming into effect?</p> <p>22 A. Absolutely.</p> <p>23 Q. What did you do?</p> <p>24 A. We closed the station the 22nd, December 22nd.</p> <p>25 We didn't operate after that until we had new tanks.</p>
<p style="text-align: right;">Page 46</p> <p>1 misstates the record -- his testimony.</p> <p>2 MR. EICKMEYER: Q. And these would have been</p> <p>3 the same tanks that stayed present until they were</p> <p>4 replaced later in about 1999?</p> <p>5 A. Can you repeat that, please?</p> <p>6 Q. Are these -- are these four tanks shown in this</p> <p>7 exhibit the same tanks that remained at the station</p> <p>8 until they were replaced in about 1999?</p> <p>9 A. Yes, sir.</p> <p>10 (Deposition Exhibit 6 marked for</p> <p>11 identification)</p> <p>12 MR. EICKMEYER: I am going to show you what I</p> <p>13 have marked as Exhibit 6. This is titled Fresno County</p> <p>14 Community Health Department, UST Monitoring/Emergency</p> <p>15 Response Plan, Bates FCDEH-FRESNO-021158.</p> <p>16 Q. Mr. Singh, do you recognize this page?</p> <p>17 A. Yes, sir.</p> <p>18 Q. Do you recognize Mr. Sandhu's signature at the</p> <p>19 bottom of this page?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Would the information on this page be accurate</p> <p>22 as of the date it was filled out?</p> <p>23 A. Yes, sir.</p> <p>24 (Deposition Exhibit 7 marked for</p> <p>25 identification)</p>	<p style="text-align: right;">Page 48</p> <p>1 That's the time we bought the property and went back and</p> <p>2 put new tanks and opened back up in May 2000 -- I</p> <p>3 mean '99. The station was shut down December 22nd until</p> <p>4 May of '99. I believe we opened in May or June,</p> <p>5 something like that.</p> <p>6 (Deposition Exhibit 8 marked for</p> <p>7 identification)</p> <p>8 MR. EICKMEYER: I want to show you what I have</p> <p>9 marked as Exhibit 8. This is an Underground Storage</p> <p>10 Tank Permit Application, Form A, Bates</p> <p>11 RWQCB-FRESNO-017077 through 017078.</p> <p>12 Q. Do you recall having seen this form before?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Do you recognize Mr. Sandhu's signature at the</p> <p>15 bottom?</p> <p>16 A. Yes, sir.</p> <p>17 Q. And would the information on this form have</p> <p>18 been correct as of the date it was filled out?</p> <p>19 A. Yes, sir.</p> <p>20 (Deposition Exhibit 9 marked for</p> <p>21 identification)</p> <p>22 MR. EICKMEYER: I will hand you what I have</p> <p>23 marked as Exhibit 9. This is a Certification Financial</p> <p>24 Responsibility, Bates RWQCB-FRESNO-017079.</p> <p>25 Q. Do you recognize Mr. Sandhu's signature at the</p>